

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

THIS DOCUMENT RELATES TO:

All Cases

MDL No. 2419
Dkt. No 1:13-md-2419 (RWZ)

**SAINT THOMAS ENTITIES' MOTION FOR CONTINUANCE OF
COMMON ISSUE FACT DISCOVERY DEADLINE**

The Saint Thomas Entities¹ hereby move amend MDL Order # 9 to allow an additional ninety days to conduct common issue fact discovery. Significant fact discovery remains to be completed, despite the diligent efforts of the Saint Thomas Entities, as described in the Memorandum of Law and Declaration of Adam T. Schramek, filed herewith. The Saint Thomas Entities request this continuance so that they will be able to defend themselves and so that justice may be carried out in this complex MDL. They are not seeking to move any other discovery deadlines. Pursuant to Local Rule 40.3(b), the Saint Thomas Entities have not sought any prior continuances in this matter.

WHEREFORE, the Saint Thomas Entities request that the common issue fact discovery deadline, as set forth in MDL Order #9, be continued for ninety days.

¹ Saint Thomas West Hospital f/k/a St. Thomas Hospital; Saint Thomas Health; and Saint Thomas Network.

Dated: May 13, 2015

By their attorneys,

/s/ Sarah P. Kelly
Sarah P. Kelly (BBO #664267)
skelly@nutter.com
NUTTER McCLENNEN & FISH, LLP
Seaport West
155 Seaport Boulevard
Boston, Massachusetts 02210
(617) 439-2000
(617) 310-9461 (FAX)

OF COUNSEL:

Yvonne K. Puig*
Texas State Bar No. 16385400
yvonne.puig@nortonrosefulbright.com
Adam T. Schramek*
Texas State Bar No. 24033045
adam.schramek@nortonrosefulbright.com
Eric J. Hoffman*
Texas State Bar No. 24074427
eric.hoffman@nortonrosefulbright.com

NORTON ROSE FULBRIGHT US LLP
98 San Jacinto Blvd., Suite 1100
Austin, Texas 78701
(512) 536-2450
(512) 536-4598 (FAX)

Marcy Hogan Greer*
Texas State Bar No. 08417650
mgreer@adjtlaw.com

ALEXANDER DUBOSE JEFFERSON &
TOWNSEND LLP
515 Congress, Suite 2350
Austin, Texas 78701
(512) 482-9300
(512) 482-9303

*Appearing Pro Hac Vice

CERTIFICATE OF CONFERERNC

I hereby certify that counsel for the Saint Thomas Entities conferred with counsel for the PSC on the issues set forth in this motion but was not able to reach agreement on them.

/s/ Sarah P. Kelly

Sarah P. Kelly

CERTIFICATE OF SERVICE

I certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing this 13th day of May, 2015.

/s/ Sarah P. Kelly

Sarah P. Kelly

2801558.1